

**PROFESSIONAL ENGINEERS SECTION MEETING
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS, AND LAND SURVEYORS
MINUTES
FEBRUARY 4, 2010**

PRESENT: Joseph Eberle, Steven Hook, and Charles Kopplin

EXCUSED: Daniel Sheldon

STAFF PRESENT: Jeff Scanlan, Bureau Director; Michael Berndt, Legal Counsel; and Michelle Solem, Bureau Assistant

CALL TO ORDER

Charles Kopplin, Vice-Chair, called the meeting to order at 8:45 a.m. A quorum of 3 members was present.

AGENDA

Amendments to the Agenda:

- Update on Principal and Practices Exam for Engineers under Education and Exams
- Update on Assembly Bill 288 under Administration and Legislative Report
 - Board Authorization for Charles Kopplin to speak

MOTION: Steven Hook moved, seconded by Joseph Eberle, to approve the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES (OCTOBER 15, 2009)

Corrections to the Minutes:

- Change the title of the first topic under Legislative/Administrative rules to read:
 - Discussion of Legislation Regarding Continuing Education for Professional Engineers
- Change sentence 2 under Education and Examination to read:
 - This exam will be a 2-day exam starting in 2011
- Change the first sentence of the third item under Miscellaneous Correspondence/Information to read:
 - This Section has been on record in support of the Bachelors plus 30 (Bachelors Degree plus 30 credits) requirement before allowing applicants to sit for the Principals and Practices exam.

MOTION: Steven Hook moved, seconded by Charles Kopplin, to approve the Minutes of October 15, 2009, as Amended. Motion carried. Mr. Eberle abstained.

ADMINISTRATIVE REPORT

Jeff Scanlan introduced himself to the Section as a substitute Bureau Director. He gave the Section an update on Department staffing. Charles Kopplin welcomed Joseph Eberle to the Section and told the Section that he anticipates the resignation of Daniel Sheldon to occur soon. Mr. Kopplin suggested that the Department help to find a Section member that is not a civil or structural engineer as both of those professions are already represented in the Section.

Annual Policy Review

Mr. Scanlan highlighted the policies. Charles Kopplin asked to receive a copy of the agenda and minutes to review prior to being included in the agenda packet.

Election of Officers

After some discussion, the Section decided that they would hold an election to fill vacant positions.

NOMINATION: Steven Hook nominated Charles Kopplin as chair.

The Chair called for nominations three times.

Charles Kopplin was elected Chairperson by unanimous vote.

The Section then decided to elect a new vice-chair to replace Charles Kopplin.

NOMINATION: Joseph Eberle nominated Steven Hook as vice-chair.

The Chair called for nominations three times.

Steven Hook was elected Vice-Chairperson by unanimous vote.

PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF ENFORCEMENT

Jennifer A. Dressler 06 ENG 026.

Investigator Candace Bloedow presented the Proposed Stipulation, Final Decision and Order in the matter of Jennifer A. Dressler, 06 ENG 026. Deliberation will be in closed session.

LEGISLATIVE/ADMINISTRATIVE RULES

Review and Discuss Correspondence re: Supreme Court Rule 07-09 re: Definition of Practice of Law

Charles Kopplin noted that the newest draft of the rule exempted the Professional Engineers from this rule. Jeff Scanlan explained the process for disseminating the information on new rules to licensees. Mike Berndt distributed a copy of the draft rule. After much discussion, the Section would support item "O" (below) with the inclusion of footnote 33 and 34 and the exclusion of footnote 35. They are also in favor of the alternative language under proposed 23.08(3).

MOTION: Steven Hook moved, seconded by Joe Eberle, to go on record in support of item “O” (page A-6) with the inclusion of “*Practicing within the scope of practice allowed by current credential issued under Wis. Stats. chs. 440 to 480 or performing services under the supervision of a professional holding a current credential issued under Wis. Stats. chs. 440 to 480*” and exclusion of the following language “*provided that the Supreme Court has not determined by rule or by published opinion that the activity constitutes the unlicensed or unauthorized practice of law.*” Motion carried unanimously.

MOTION: Joe Eberle moved, seconded by Steven Hook, to go on record in support of the alternative language at 23.08(3) “*The office of lawyer regulation shall cooperate with agencies which provide credentials under Wis. Stats. chs. 440 to 480 and may share confidential information with an agency regarding a credential holder of that agency. The office of lawyer regulation may investigate an allegation of unauthorized practice of law against a credential holder; however, the office of lawyer regulation shall defer to the Department of Regulation and Licensing for further investigation and any possible action against a credential holder.*”

MOTION: Joe Eberle moved, seconded by Steven Hook, to authorize Charles Kopplin to speak on behalf of the Section regarding the section’s position on the aforementioned draft rule. Motion carried unanimously.

Review and Discuss Continuing Education Rule Draft

Yolanda McGowan has given a draft of the proposed rule for continuing education requirements to Charles Kopplin for his review. The section referred to the draft that was redlined by Mr. Kopplin and submitted back to the Department. Pamela Haack, Division of Board Services, pointed out some technical issues related to the draft rule. Mr. Scanlan suggested that the Department make the draft changes. Once changes are made, Ms. Haack will edit and bring back to the Section prior to submission to the Clearinghouse. It is the request of the Section to have a draft ready for the section to review by the end of February and a final draft ready for the rules committee meeting in April.

Update on Rule Draft Relating to Definition of Responsible Charge, Discipline for Failure to Respond

Ms. Haack reported that the amendments became effective January 1, 2010. This item is to be removed from future agendas.

Update on Final Rule for Electronic Signatures –DOA

No update was available. Charles Kopplin asked that this item be included on the next agenda.

Discussion on Legislation Regarding Licensure as a Professional Engineer (AB 288)

This Bill has passed the Assembly and sent to the Senate. Charles Kopplin asked the Department to support this legislation as it goes to public hearing next week.

MOTION: Joe Eberle moved, seconded by Steven Hook, to authorize Charles Kopplin to speak on behalf of the Section in support of AB288. Motion carried unanimously.

CREDENTIALING

Appearance for a Class I Hearing – Scott C. Davis

Scott C. Davis appeared before the Section to provide additional information regarding the denial of his application for reinstatement of licensure as a professional engineer.

Appearance for a Class I Hearing – Eric Welch

Eric Welch appeared before the Section to provide additional information regarding the denial of his application for licensure as a professional engineer.

Appearance for a Class I Hearing – Jeffrey Krueger

Jeffrey Krueger appeared before the Section to provide additional information regarding the denial of his application for licensure as a professional engineer.

Appearance for a Class I Hearing – Jill A. Hilbert

Jill A. Hilbert appeared before the Section to provide additional information regarding the denial of her application for licensure as a professional engineer.

Appearance for a Class I Hearing – Robert Kluwin

Robert Kluwin appeared before the Section to provide additional information regarding the denial of his application for licensure as a professional engineer. Because Joe Eberle intended to abstain during the deliberation and voting, he was not present in the room during the hearing.

EDUCATION AND EXAMINATION

None.

TRAVEL

The Section asked that travel to the annual NCEES meeting be an item for discussion on the next agenda. That meeting will occur on August 18-21, 2010, in Denver, CO.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

None.

PUBLIC COMMENTS

None.

CLOSED SESSION

MOTION: Steven Hook moved, seconded by Joseph Eberle, to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s.19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.) Motion carried by roll call vote: Joseph Eberle - yes, Steven Hook – yes; Charles Kopplin-yes.

Open Session recessed at 2:02 p.m.

RECONVENE TO OPEN SESSION

MOTION: Joe Eberle moved, seconded by Steven Hook, to reconvene into Open Session at 4:23 p.m. Motion carried unanimously.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON
IN CLOSED SESSION, IF VOTING IS APPROPRIATE**

MONITORING

None.

**DELIBERATION ON PROPOSED STIPULATIONS OR ANY SIGNED AFTER
MAILING OF AGENDA**

**JENNIFER A. DRESSLER
06 ENG 026**

MOTION: Steven Hook moved, seconded by Joe Eberle, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of Jennifer A. Dressler, 06 ENG 026. Motion carried unanimously.

CASE CLOSINGS

06 ENG 026

MOTION: Steven Hook moved, seconded by Joe Eberle, to close case 06 ENG 026 for No Violation and send a letter of education related to the clarification on the letterhead. Motion carried unanimously.

08 ENG 005

MOTION: Joe Eberle moved, seconded by Steven Hook, to close case 08 ENG 005 for Prosecutorial Discretion (P2) and issue a letter of education. Motion carried unanimously.

ADMINISTRATIVE WARNINGS

06 ENG 026

MOTION: Steven Hook moved, seconded by Joe Eberle, to issue the administrative warning in the matter of 06 ENG 026. Motion carried unanimously.

07 ENG 004

MOTION: Steven Hook moved, seconded by Joe Eberle, to issue the administrative warning in the matter of 07 ENG 004. Motion carried unanimously.

07 ENG 013

MOTION: Steven Hook moved, seconded by Joe Eberle, to issue the administrative warning in the matter of 07 ENG 013. Motion carried unanimously.

DELIBERATION ON CLASS 1 HEARINGS

SCOTT C. DAVIS

MOTION: Steven Hook moved, seconded by Joe Eberle, to affirm the denial for Scott C. Davis. Motion carried unanimously.

ERIC WELCH

MOTION: Steven Hook moved, seconded by Joe Eberle, to approve Eric Welch to sit for the Principal and Practices Exam. Motion carried unanimously.

JEFFREY KRUEGER

MOTION: Joe Eberle moved, seconded by Steven Hook, to grant licensure to Jeffrey Krueger. Motion carried unanimously.

JILL A. HILBERT

MOTION: Joe Eberle moved, seconded by Steven Hook, to grant licensure to Jill A. Hilbert. Motion carried unanimously.

ROBERT KLUWIN

MOTION: Steven Hook moved, seconded by Charles Kopplin, to reinstate licensure to Robert Kluwin. Motion carried. Joe Eberle abstained from the deliberation and vote.

DELIBERATION ON PETITION FOR REHEARING

None.

REINSTATEMENTS

JAROSLAV OLMR

MOTION: Steven Hook moved, seconded by Joe Eberle, to issue an intent to deny to Jaroslav Olmr. Motion carried unanimously.

IVARS VILCINS

MOTION: Steven Hook moved, seconded by Joe Eberle, to deny reinstatement to Ivars Vilcins. Motion carried unanimously.

RUSSELL WHITE

MOTION: Steven Hook moved, seconded by Joe Eberle, to deny reinstatement to Russell White. Motion carried unanimously.

ANTONIOUS OSHANA

MOTION: Steven Hook moved, seconded by Joe Eberle, to approve reinstatement to Antonious Oshana. Motion carried unanimously.

APPLICATIONS REVIEWED ON February 4, 2010

The Section took the following action on applications.

MOTION: Joe Eberle moved, seconded by Steven Hook, to act on the applications reviewed for today's meeting as reviewed and signed in the application files. Motion carried. Joe Eberle abstained from the vote with regard to Violet Razo. Charles Kopplin abstained from the vote with regard to James Driscoll and Andre Ost.

FOR REGISTRATION AS A PROFESSIONAL ENGINEER**1. By Approved Degree Plus 8 Years Experience**

- a. Granted

<ul style="list-style-type: none"> 1. Adenyi, Adetoye O 2. Black, Brian T 3. Carlson, Marlo H 4. Eng-Kie, Lee 5. Even, Chad R 6. Hagner, Heath C 7. Hudson, James S 	<ul style="list-style-type: none"> 8. Kurszewski, Scott 9. Laabs, Kelly A 10. Masiarchin, Erich G 11. Mayhew-Rozek, Anna P 12. Perttu, Kevin 13. Rowe, Ryan F
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- b. Deny

<ul style="list-style-type: none"> 1. Ashraf, Syed M 2. Beaton, Ryan 3. Bethke, Craig 4. Buckles, Tarolyn 5. Coakley, Lloyd 6. Lindstrom, Matthew H 	<ul style="list-style-type: none"> 7. Lurvey, George 8. Mangasarian, Seth 9. Nickel, Alan D 10. Onukwugha, Felix 11. Sayadian, Robert H 12. Zuehlke, David R
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- c. Intent to Deny

<ul style="list-style-type: none"> 1. Barson, David 2. Coogan, Chad P 3. Henning, Kevin 	<ul style="list-style-type: none"> 4. Obermann, Kenneth 5. Stutzki, Christian
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2. By 16 Hour Exam (Passed PE and FE Exam)

- a. Granted

<ul style="list-style-type: none"> 1. Hanson, Craig A 	<ul style="list-style-type: none"> 2. Hollister, Brett
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3. By Comity (Licensed in another state)

- a. Denied
 - 1. Browning, Barry

FOR PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION

a. Granted

- | | |
|----------------------------|-----------------------------|
| 1. Ahmed, Mohammed F | 46. Jorgensen, Sam |
| 2. Akhtar, Haroon | 47. Julson, David W |
| 3. Albert, Brian P | 48. Keys, Robert |
| 4. Almomani, Mohammed | 49. Kiepczynski, Ashley |
| A | 50. Kirkikis, Sotirios |
| 5. Al-Qudah, Ibrahim | 51. Klepcznski, Kenneth T |
| 6. Anhalt, Michelle | 52. Knapwurst, James |
| 7. Aschenbrenner, Scott A | 53. Kolinske, Randall T |
| 8. Barnett, Michael S | 54. Kovalenko, Olena M |
| 9. Bartos, Christopher J | 55. Kurten, Jaime L |
| 10. Beer, Shawn R | 56. Lauters, Jason C |
| 11. Berger, Rudolph J | 57. Leicht, Evan C |
| 12. Bhattarai, Kalu | 58. Lemke, Amy L |
| 13. Bilhorn, Samuel | 59. Lugowski, Jan |
| 14. Blackwood, Allison A | 60. Lutz, Kevin C |
| 15. Block, Andrew W | 61. Maddux, Laura L |
| 16. Block, Robert W | 62. Maederer, Matthew S |
| 17. Braithwaite, Brandon M | 63. Makepeace, James P |
| 18. Brandt, Nathaniel L | 64. Mande, Arun |
| 19. Brauer, Andrew J | 65. Marks, Elizabeth |
| 20. Brotz, Christine M | 66. Martinez, Jacquelyn M |
| 21. Canfield, Amy L | 67. Martiny, Megan A |
| 22. Cappelle, Jeffrey J | 68. Mattson, Benjamin B |
| 23. Danak, Mahesh | 69. Mehta, Anshu |
| 24. Dave, Chirag | 70. Meyer, John B |
| 25. Dekeyser, Nicholas A | 71. Meyer, Tanya L |
| 26. Driscoll, James D | 72. Miller, Daniel C |
| 27. Dvorak, Bryce J | 73. Millikin-Brown, Brian Q |
| 28. Eastway, Nathan A | 74. Mohammed, Ateeq U |
| 29. Eberhardt, Matthew J | 75. Nelson, Nathan C |
| 30. Gardner, Raine L | 76. Newman, Nicholas A |
| 31. Gautam, Kamal P | 77. Oftedahl, Brett M |
| 32. Gellings,Carolynn M | 78. Oguntoye, Joseph |
| 33. Groth, Arick D | 79. Olson, Kelly L |
| 34. Guttenberg, Jeffrey E | 80. Osiecki, David M |
| 35. Guzlecki, Scott | 81. Papageorge, Nickolas G |
| 36. Habib, Amjad | 82. Papuga, Grzegorz |
| 37. Hamm, Jared W | 83. Parkzes, Bradley M |
| 38. Hollister, Karin M | 84. Patel, Anupkumar V |
| 39. Holzwardt, Joseph C | 85. Pathak, Jyotish K |
| 40. Honek, Kenneth F | 86. Peet, Lonny J |
| 41. Horst, Ryan | 87. Pell Jr, Richard W |
| 42. Iyengar, Freddy | 88. Penning, Katharine M |
| 43. Jadin, Bradley | 89. Peterson, Jessica L |
| 44. Jester, Ryan K | 90. Porter, Steven C |
| 45. Jimenez, Oscar | 91. Pranger, Corey J |

92. Pritzl, Matthew D
93. Quinter, Andrew J
94. Razo, Violet
95. Reentz, Bradley S
96. Reynolds, Daniel E
97. Ritchie, Anthony L
98. Sales, Nicholas E
99. Sandved, Erik K
100. Schnabel, Derek A
101. Schreiber, Leonard L
102. Schreiner, Matthew W
103. Schuh, Bridget M
104. Schulze, Brent A
105. Schutten, Sean J
106. Sen, Santanoo
107. Sewell, David R
108. Shiner, Stephen M
109. Siebers, Gregory S
110. Sienko, Jacob R
111. Sigmarsson, Sigurdur
112. Skarsten, Joshua J
113. Spieles, Thomas W
114. Steffen, James C

115. Stelljes, Corey C
116. Stephan, Christopher J
117. Stetzer, Thomas G
118. Stoa Luedtke, Ryan A
119. Stroh, Cory J
120. Stutzki, Christian
121. Tadych, Todd J
122. Tepp, Brad W
123. Theis, Jeremy M
124. Thomsen, Jay R
125. Thomsen, Stephanie B
126. Triebenbach, Jeremy M
127. Veit, Brian W
128. Venne, Bruce K
129. Vetting, Jeremy
130. Vyvyan, Robert J
131. Wagner, Nicholas A
132. Wells, Andrew B
133. Wendt, Virginia A
134. Wieser, Michael J
135. Wood, Ryan D
136. Yoerger, Glen E
137. Zhao, Jian

b. Denied

1. Baeten, Ryan J
2. Devaraj, Srinath
3. Haas, Travis J
4. Ost, Andre C
5. Rodden, Edward

6. Schuette, Jill A
7. Shevate, Shreyas
8. Smith, Cameron E
9. Smith, Michael C
10. Tsouflias, John

c. Intent to Deny

1. Finn, Patrick

FOR CERTIFICATION AS AN ENGINEER-IN-TRAINING

a. Granted

1. Zhang, Ziyan

ADJOURNMENT

Mr. Kopplin noted that Daniel Sheldon has notified the Department he will not be at the April meeting and that it is likely Mr. Kopplin will also ask to be excused.

MOTION: Joe Eberle moved, seconded by Steven Hook, to adjourn the meeting at 4:33 p.m. Motion carried unanimously.